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DOCKET NO. S-20651A-09-0029 RECEIVED

MOTION TO SET MEDIATION 2009 APR -2 A 9:44

Arizona Corporation Commission  
**DOCKETED**

APR -2 2009

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

AZ CORP COMMISSION  
DOCKET CONTROL

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Pursuant to the option presented my Administrative Law Judge, Mr. Marc E. Stern, at the pre-hearing on 3-23-09, I, Kyle Schmierer, formally request an official and binding arbitration session with an impartial Judge as the mediator to settle the dispute regarding the false and unjust complaint against me in DOCKET NO. S-20651A-09-0029, by the Arizona Corporation Commission.

On 3-3-2009 Julie Coleman, Chief Counsel of Enforcement of the Arizona Corporation Commission, told me that Judge Stern was wrong and that mediation could not and would not take place. I was told I would have the opportunity to go over the proposed consent order and note which parts I did not agree with and wanted to change. Yet only a day later a request for a hearing was sent. This buy passes the binding oral agreement that I would be given time to negotiate the consent order as Judge Stern wanted. Additionally the enforcement division is trying to stop me from requesting mediation by stating it was not possible even though Judge Stern granted me this option.

I thus see no option but to request mediation be granted and that the motion for a hearing date be denied.

I formally request an official and binding arbitration session with an impartial Judge as the mediator to settle this matter as soon as possible.

I request a copy of this letter be sent to Mr. Marc E. Stern, Administrative Law Judge.

I firmly maintain I have done nothing immoral and acted only with full intention a great effort to follow all laws.

Sincerely, Kyle Schmierer

 4-1-09

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